

**CHAPTER 339: GROUNDWATER PROTECTION RECOMMENDATION
LETTERS AND FEES**

§§339.1 - 339.3

Effective September 2, 2004

§339.1. Purpose.

This chapter authorizes the executive director to provide groundwater protection recommendation letters to the Railroad Commission of Texas for use in processing applications. This chapter also establishes the fee for the expedited processing of requests for groundwater protection recommendation letters.

Adopted August 11, 2004

Effective September 2, 2004

§339.2. Applicability.

This chapter applies to Texas Commission on Environmental Quality groundwater protection recommendation letters required by Railroad Commission of Texas (RRC) rules or Texas Water Code, §27.033, except that §339.3(b) and (c) of this title (relating to Groundwater Protection Letter Requests, Expedited Processing, and Fee) does not apply to letters related to drilling and use of disposal wells permitted by the RRC. The executive director provides these letters to applicants for authorizations from the RRC. The letters contain a recommendation to the RRC on the depth, or depths, that usable-quality groundwater should be isolated or protected in oil and gas operations. This chapter also applies to the expedited processing of requests for these letters and sets fees for expedited processing as authorized by Texas Water Code, §5.701.

Adopted August 11, 2004

Effective September 2, 2004

§339.3. Groundwater Protection Letter Requests, Expedited Processing, and Fee.

(a) The applicant shall submit a request for a groundwater protection recommendation letter on a form approved by the executive director. The form must contain all information required by the executive director before a request will be processed.

(b) The executive director shall establish procedures for expedited processing of requests for groundwater protection recommendation letters. Requests for expedited groundwater protection recommendation letters shall be processed within four business days.

(c) The fee for expedited processing of a request for a groundwater protection recommendation letter is \$75 and must be in the form of a check, money order, cashier's check, or electronic funds transfer made payable to the Texas Commission on Environmental Quality. The fee must be paid before the request will be processed.

Adopted August 11, 2004

Effective September 2, 2004